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10/652,496	09/02/2003	Hirotaka Ohashi	116706	2714

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EXAMINER
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *04 June 2007*.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *2-4,6-8,10-19 and 21* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☒ Claim(s) *2-4,6-8 and 21* is/are allowed.

6)☒ Claim(s) *10-19* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

DETAILED ACTION

1.   Applicant's amendments filed on 06/04/2007 have been entered. Claims 2-4, 6-

8, 10-19 and 21 are pending. Claims 1, 5, 9 and 20 are canceled.

Claim Rejections - 35 USC § 103

2.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3.   Claims 10-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Johnson et al. (Johnson), US Patent No. 6,453,302 in view of Morag, US Patent No.

6,324,545, and further in view of Nitta, US Patent Application Publication No. US

2002/0054035.

4.   As to independent claim 10, Johnson discloses a layout system, comprising:

a published information storage device that stores a plurality of pieces of

published information (col. 7, lines 14-29: a memory arrangement 200 stores customer

data and seller data (pieces of published information));

a published information selection device that selects the published information

out of the published information storage device (col. 10, lines 28-38: retrieving

information (customer and seller data) from the memory arrangement 200); and

a layout device that produces a layout of the published information selected out of the published information selection device, the layout device producing a layout by storing the published information in an information storage frame according to a template that defines items related to the information storage frame arranged in a predetermined layout region (col. 4, lines 18-60 and col. 10, lines 50-62: the presentation generation system 104 (the layout device) generates a presentation (a layout of published information by using cover page template that defines layout and content or topic of the information); and

a template storage device that stores a plurality of different templates (col. 7, lines 13-29 and col. 8, lines 43-55: template information 28 (template storage) includes templates used by the presentation generation system 104),

a template selection device being adapted that selects a template out of the template storage device (col. 8, lines 35-42, and col. 10, lines 12-49: the presentation generation system 104 identifies appropriate a cover page template defining a cover page (this step may include identifying an appropriate cover page form a plurality of cover pages) based on customer information, the presentation generation system 104 then integrates the template with the information to form a presentation (a layout of the published information).

a user information storage device that stores user information related to a user, the published information selection device being adapted to select the published information out of the published information storage device on the basis of the user information in the user information storage device (col. 6, lines 1-15: receiving customer

information into the memory arrangement, and based on the customer information, automatically generates presentation items (published information)),

the layout out device producing the layout of the published information according to the selected template selected by the template selection device (and col. 9, line 60 – col. 10, line 49: integrate the template with the information to form a presentation item),

However, Johnson does not explicitly disclose select a template according to the content of published information selected by the published information selection device.

In the same field of endeavor, Morag discloses a method of generating a photographic album comprising: providing a plurality of digitally encoded images (published information), automatically analyzing the images and automatically generating an album responsive to the analyzing (col. 3, lines 26-33). In addition, Morag discloses that after the images and instruction (published information) for album arrangement are received by the service provider, an optimal layout (template) of images in the album is determined (col. 7, lines 15-53).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Morag with Johnson to include select a template according to the amount of published information selected by the published information selection device. Morag suggests that automatically generating a photograph album by using digital techniques would enhance the quality of the resulting album.

However, Johnson and Morag do not explicitly disclose the user information including a maximum number of pages to be displayed.

Nitta discloses user profile table include a field for recording maximum number of pages (page 6, paragraph [0089] and page 7, paragraphs [0097]).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Nitta with Johnson and Morag to include the user information including maximum number of pages to be displayed so the designated maximum number of pages can be obtained in determining the output layout.

5.   As to dependent claim 11, Johnson discloses the template being a page template that defines the shape, size, and arrangement of an information storage frame to be arranged in a layout region in page units (col. 10, lines 50-62: cover page template includes rules that define the layout and content or topic as well as color, size, shape).

6.   As to dependent claim 12, Johnson discloses the template being related to information that indicates the amount of publishable information which can be stored in the information storage frame defined by a relevant page template (col. 10, lines 12-62: the cover page template defines locations associated with rules which in turn define the layout of the cover page as well as the content, size, and other characteristics of the information on the cover page),

the template selection device being adapted to select out of the template storage device a page template that is suitable for the amount of published information selected by the published information selection device (col. 10, lines 12-27: based on the

customer solution or customer information (amount of published information), retrieving

a template defining a cover page).

7.   As to dependent claim 13, Johnson discloses the template selection device being

adapted to calculate a total amount of published information which has been selected

by the published information selection device but for which a layout has not been

produced, to calculate an average amount of the published information on the basis of

the calculated total amount of published information, and to select a page template of

the amount of publishable information suitable for the calculated average amount of

published information (col. 5, line 27 – col. 6, line 15 and col. 8, lines 35-58).

In addition, Morag discloses a method of generating a photographic album

comprising: providing a plurality of digitally encoded images (published information),

automatically analyzing the images and automatically generating an album responsive

to the analyzing (col. 3, lines 26-33). In addition, Morag discloses that after the images

and instruction (published information) for album arrangement are received by the

service provider, an optimal layout (template) of images in the album is determined (col.

7, lines 15-53).

It would have been obvious to one of ordinary skill in the art at the time the

invention was made to combine the teachings of Morag with Johnson to include select a

template according to the amount of published information selected by the published

information selection device and to produce a layout of the published information

according to the selected template. Morag suggests that automatically generating a

photograph album by using digital techniques would enhance the quality of the resulting album.

8.   Claims 14-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Johnson et al. (Johnson), US Patent No. 6,453,302 and further in view of Morag, US Patent No. 6,324,545.

9.   As to independent claim 14, Johnson discloses a layout system, comprising:

a published information storage device that stores a plurality of pieces of published information storage device (col. 7, lines 14-29: a memory arrangement 200 stores customer data and seller data (pieces of published information));

a published information selection device that selects the published information out of the published information storage device (col. 10, lines 28-38: retrieving information (customer and seller data) from the memory arrangement 200); and

a layout device that produces a layout of the published information selected out of the published information selection device, the layout device producing a layout by storing the published information in an information storage frame according to a template that defines items related to the information storage frame arranged in a predetermined layout region (col. 4, lines 18-60 and col. 10, lines 50-62: the presentation generation system 104 (the layout device) generates a presentation (a layout of published information by using cover page template that defines layout and content or topic of the information);

the published information being related to information that indicates the

importance of the published information (col. 5, lines 43-57 and col. 9, line 60 – col. 10,

line 11);

a template storage device that stores a plurality of different templates (col. 7,

lines 13-29 and col. 8, lines 43-55: template information 28 (template storage) includes

templates used by the presentation generation system 104),

the template storage device to select a template out of the template storage

device (col. 8, lines 35-42, and col. 10, lines 12-49: the presentation generation system

104 identifies appropriate a cover page template defining a cover page (this step may

include identifying an appropriate cover page form a plurality of cover pages) based on

customer information, the presentation generation system 104 then integrates the

template with the information to form a presentation (a layout of the published

information);

a user information storage device that stores user information related to a user,

the published information selection device being adapted to select the published

information out of the published information storage device on the basis of the user

information in the user information storage device (col. 6, lines 1-15: receiving customer

information into the memory arrangement, and based on the customer information,

automatically generates presentation items (published information)),

the layout out device producing the layout of the published information according

to the selected template selected by the template selection device (and col. 9, line 60 –

col. 10, line 49: integrate the template with the information to form a presentation item),

and

the user information including age, sex, favor, address, or operational

environment of a terminal of a user (col. 5, lines 33-42: the customer information

includes name, address, size, contact, specific interest in the products for sale, or other

relevant information).

However, Johnson does not explicitly disclose select a template according to the

content of published information selected by the published information selection device

and to produce a layout of the published information according to the selected template.

In the same field of endeavor, Morag discloses a method of generating a

photographic album comprising: providing a plurality of digitally encoded images

(published information), automatically analyzing the images and automatically

generating an album responsive to the analyzing (col. 3, lines 26-33). In addition,

Morag discloses that after the images and instruction (published information) for album

arrangement are received by the service provider, an optimal layout (template) of

images in the album is determined (col. 7, lines 15-53).

It would have been obvious to one of ordinary skill in the art at the time the

invention was made to combine the teachings of Morag with Johnson to include select a

template according to the amount of published information selected by the published

information selection device and to produce a layout of the published information

according to the selected template. Morag suggests that automatically generating a

photograph album by using digital techniques would enhance the quality of the resulting

album.

10.   As to dependent claim 15, Johnson discloses the template being a page template

that defines the shape, size, and arrangement of an information storage frame to be

arranged in a layout region in page units (col. 10, lines 50-62: cover page template

includes rules that define the layout and content or topic as well as color, size, shape).

11.   As to dependent claim 16, Johnson discloses the page template being related to

information that indicates the recommended importance of published information to be

stored in the information storage frame defined by the relevant page template (col. 5,

lines 43-57, and col. 10, lines 12-62: the cover page template defines locations

associated with rules which in turn define the layout of the cover page as well as the

content, size, and other characteristics of the information on the cover page), and

the template selection device being adapted to select out of the template storage

device a page template with a recommended importance suitable for the importance of

the published information selected by the published information selection device (col. 9,

line 60 – col. 10, line 27: based on the customer solution or customer information

(amount of published information), retrieving a template defining a cover page).

12.   As to dependent claim 17, Johnson discloses the template selection device being

adapted to specify the highest level of importance of those levels of importance of

published information to be published on each page among the published information

which has been selected by the published information selection device but for which a

layout has not been produced, and to select a page template with recommended

importance suitable for the specified importance out of the template storage device (col.

5, line 27 – col. 6, line 15 and col. 8, lines 35-56).

13.   As to dependent claim 18, Johnson discloses a user information storage device

that stores user information related to a user, the published information selection device

being adapted to select published information out of the published information storage

device on the basis of the user information in the user information storage device (col.

5, line 33 – col. 6, line 15: customer solution system includes a customer tool which

provides a convenient interface for entering customer information, and the customer

information include a customer's profile, and the presentation generation system

accesses the customer information and the customer solution, automatically generates

presentation items based on the customer information and customer solution).

14.   As to dependent claim 19, Johnson discloses a user information storage device

that stores user information related to a user, the layout device producing a layout of the

published information selected by the published information selection device on the

basis of the user information in the user information storage device (col. 5, line 33 – col.

6, line 15: customer solution system includes a customer tool which provides a

convenient interface for entering customer information, and the customer information

include a customer's profile such as name, address, size, contact, specific interest, etc..., and the presentation generation system accesses the customer information and the customer solution, automatically generates presentation items based on the customer information and customer solution).

Allowable Subject Matter

15.   Claims 2-4, 6-8 and 21 are allowed.

Response to Arguments

In the remarks, Applicant(s) argued in substance that

A) The cited prior art does not disclose or suggest "a user information storage device that stores user information related to a user, the published information selection device being adapted to select published information out of the published information storage device on the basis of the user information in the user information storage device and the user information including age, sex, favor, address, or operation environment of a terminal of a user."

In reply to argument A, Johnson discloses in col. 6, lines 1-15: receiving customer information into the memory arrangement, and based on the customer information, automatically generates presentation items (published information), and in col. 5, lines 33-42: the customer information includes name, address, size, contact, specific interest in the products for sale, or other relevant information.

B) Prior art does not disclose "the user information including a maximum number of pages to be displayed."

In reply to argument B, Nitta discloses user profile table include a field for recording maximum number of pages (page 6, paragraph [0089] and page 7, paragraphs [0097]).

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chau Nguyen whose telephone number is (571) 272-4092. The examiner can normally be reached on 8:30 am – 5:30 pm Mon-Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Doug Hutton, can be reached on (571) 272-4137. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306. On July 15, 2005, the Central Facsimile (FAX) Number will change from 703-872-9306 to 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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